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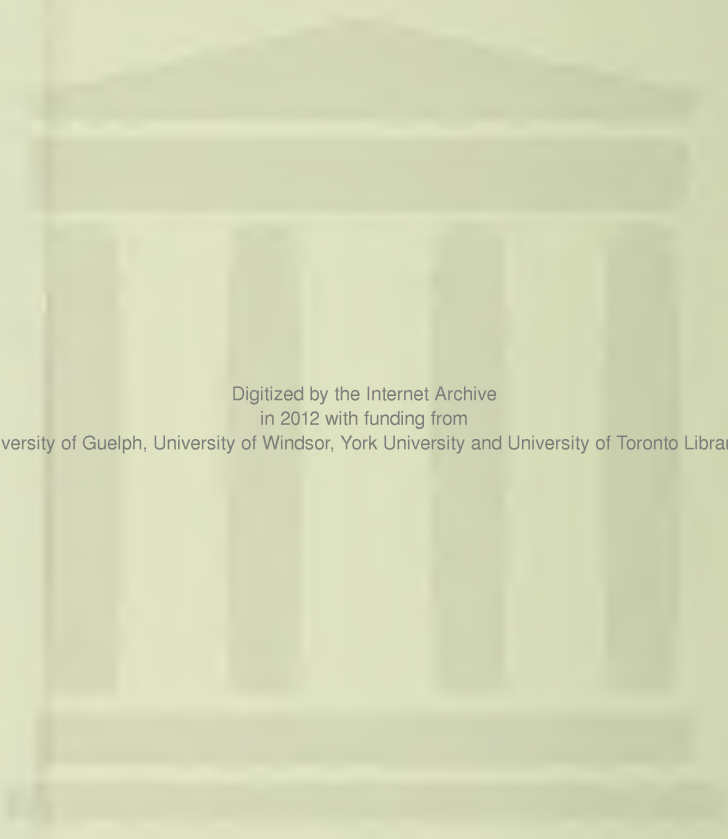
ONTARIO

1972

INTERIM REPORT BY
SELECT COMMITTEE ON
LAND DRAINAGE

LORNE C. HENDERSON, M.P.P.
CHAIRMAN





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INTERIM REPORT

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SELECT COMMITTEE

On

LAND DRAINAGE



TABLED IN THE LEGISLATIVE ASSEMBLY BY

LORNE C. HENDERSON, M.P.P.
CHAIRMAN

DECEMBER 1972

2nd SESSION, 29th LEGISLATURE, 21 ELIZABETH II

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INTERIM REPORT

BY

SELECT COMMITTEE

ON

LAND DRAINAGE

TABLED IN THE LEGISLATIVE ASSEMBLY BY

LORNE C HENDERSON, M.P.P.
CHAIRMAN


DECEMBER 1972

TO: The Honourable A. E. Reuter
Speaker of the Legislative Assembly of the Province of Ontario.

Sir:

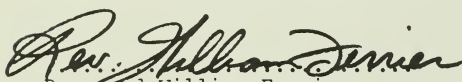
We, the undersigned members of the Committee appointed by the Legislative Assembly of the Province of Ontario on June 30, 1972 to enquire into and review the law relating to land drainage, have now the honour to submit the attached interim report on land drainage.

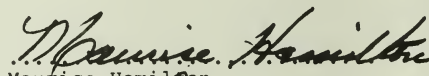

Lorne C. Henderson, Chairman



Fred A. Burr

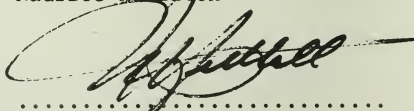

Robert G. Eaton


Donald William Ewen


Reverend William Ferrier


Maurice Hamilton


Ronald K. McNeil


Dr. William J. Nuttall


Donald A. Paterson

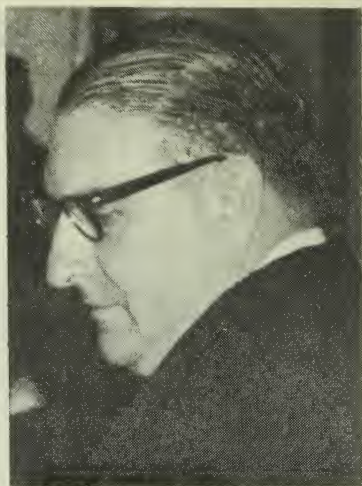

John P. Spence


Douglas Wiseman



COMMITTEE MEMBERS AND STAFF

Standing: Miss Glenda du Sart, secretary; Mr. David Callfas, clerk of committee; Reverend William Ferrier, MPP, Timmins; Mr. Fred A. Burr, MPP, Windsor; Mr. Ronald K. McNeil, MPP, Elgin; Dr. William Nuttall, MPP, Frontenac; Mr. Edward O'Meara, Department of Agriculture and Food, research director; Mr. James A. Monteith, consulting engineer; Miss Maureen Dunne, secretary; Miss Jane Maher, secretary. **Seated:** Mr. Robert G. Eaton, MPP, Middlesex South; Mr. Douglas Wiseman, MPP, Lanark; Mr. Donald Paterson, MPP, Essex South; Mr. John Spence, MPP, Kent East; Mr. Maurice Hamilton, MPP, Renfrew North; Mr. Donald W. Ewen, MPP, Wentworth.



**Lorne C. Henderson,
M.P.P.**

May I take this opportunity to say special thanks to my secretary Mrs. Doris Dunne who has assumed additional responsibilities since I took over as chairman.

I also want to thank members of the staff for the assistance and help in past months: Miss Jane Maher, Miss Glenda du Sart and Miss Maurine Dunne; also Mr. Dave Callfas, clerk of the committee, Mr. Edward O'Meara, Department of Agriculture and Food, research officer for the committee; Mr. James Monteith, consultant engineer to the committee.

I want to congratulate the committee members on their attendance at the meetings and the interest they have shown on this subject which is so important to the farmers of Ontario.

On behalf of the committee, may I congratulate and thank the Hon. William Davis, premier of Ontario and the Hon. William Stewart, Minister of Agriculture for having the foresight in recognizing the need of this study which will prove beneficial to all the people of Ontario.

**Lorne C. Henderson, MPP, Lambton,
Chairman of the Committee**

FOREWARD

On June 30, 1972, the Legislature appointed a Select Committee to examine, study and inquire into matters regarding land drainage in Ontario.

The Legislature recognized that land drainage is an essential soil management practice which has developed and grown with the need for agricultural and non-agricultural drained land and also that the basic objectives to be achieved and the means of fulfilling these objectives through drainage legislation and programs should be examined as part of a continuing appraisal of land use in Ontario.

The Committee was specifically requested to examine, study and inquire into the following matters:

1. The objectives of land drainage as an agricultural practice and the benefits to be derived from such practice.
2. The associated problems of competing land use in the urban fringe and in wetlands, as influenced by land drainage projects.
3. The problem of public interest in land use over the drainage of private lands by individuals.
4. The prior evaluation of the benefits and costs of a drainage project.
5. An evaluation of the petition procedure for initiating a drainage project.
6. A review of the construction, improvement and maintenance procedures under "The Drainage Act" in achieving the objectives.
7. A review of the appeal procedures under "The Drainage Act".
8. A review of the financial procedures and assistance under "The Drainage Act" and other drainage problems.
9. A study of the costs of land drainage and what influences such costs and how they may be reduced, i.e., engineering costs, etc.

10. An evaluation of construction practices in general and erosion and weed control of drainage ditches in detail.
11. A review of the administrative practices and methods in carrying out responsibility under "The Drainage Act".

After due study and consideration the Committee is instructed to recommend such changes in the laws, procedures and processes as in the opinion of the Committee may be necessary and desirable.

The Committee appointed Mr. James Monteith, P.Eng., of the consulting firm of Monteith-Ingram Engineering Ltd., Petrolia, Ontario, as its technical adviser. Mr. J.E. O'Meara, Associate Director of the Economics Branch of the Ministry of Agriculture and Food, was assigned to act as Research Director. The Clerk of the House appointed Mr. David Callfas as Clerk of the Committee.

Miss Jane Maher, Miss Glenda du Sart and Miss Maureen Dunne, handled the secretarial duties.

In August, the Committee advertised its terms of reference in weekly and daily newspapers and invited written briefs and intentions to make oral presentations. As a result, the Committee received 117 briefs, and letters from 143 concerned individuals who wished to be heard. Lists of these briefs and individuals are included in the appendices.

The Committee began its travels and hearings on August 23, 1972, in Kingston and since that time has travelled 8,000 miles by chartered and commercial aircraft and by bus. Hearings were held in both afternoon and evening sessions and a list of the places is on pages

This program was quite strenuous and called on the Committee members and staff to exert themselves to capacity. The attendance of members at the meetings and hearings was gratifying and averaged 84 per cent. This interest by the members of the Committee was shared also by members of the public who attended in large numbers and stayed on to hear discussion lasting sometimes

until midnight. There is no doubt that the subject of land drainage attracts a great deal of interest from farmers who may wish to have their lands drained and municipal councillors who must deal with the administration of the legislation.

This interim report deals only with the most immediate and pressing situations which have been drawn to the attention of the Committee. It is the intention of the Committee to continue to hold hearings until the whole of the province has been covered.

Meanwhile, the Committee has commissioned some research on certain items of the terms of reference. Studies dealing with cost-benefit analysis and conflicts of interest in drainage areas, have been assigned to a research group at York University. It is expected these studies will be available for review by the Committee in August-September 1973.

Technical studies on costs of construction, engineering, construction practices, weed control, etc., will also be undertaken in 1973, by the firm of Todgham and Case Limited, consulting Civil Engineers of Chatham, Ontario.

The Committee wishes to record its appreciation of the valuable assistance received from the field staff of the Ministry of Agriculture and Food, especially the Agricultural Representatives and the Agricultural Engineering Extension Specialists. These gentlemen did much to ensure attendance at hearings and the engineers, in particular, were most helpful in arranging visits to actual drainage areas and sites.

Travels of the Committee outside of the province included visits to Michigan, Nova Scotia, Newfoundland and Quebec. The Michigan trip allowed the Committee members to see the latest in drainage equipment in actual operation at a demonstration field day sponsored by The Michigan Drainage Contractors Association. In Nova Scotia, the workings of The Drainage Commission were examined and in Newfoundland, the Committee was impressed with the research work being carried out in the draining of bog lands for production of vegetables.

In Quebec, the comparison of drainage policies between the two jurisdictions proved enlightening and may require further talks at a later date.

The Ministers of Agriculture and their deputies in these three provinces were extremely helpful in providing assistance by their staffs and for this the Committee is most grateful.

GENERAL OBSERVATIONS

The basic resource of any agricultural economy is the land upon which the crops are grown. Farmers have always been under pressure to increase their productivity in order to satisfy the consuming capacity of the population of the country and the world but since land is a limited resource, they have had to utilize aids to production, such as better seed, fertilizer and drainage.

Water from rainfall, of course, is another absolute necessity for the production of crops, but too much of a good thing sometimes results in under capacity production. Therefore, the need for underdrainage and the moving of water off the surface has been widely recognized in agriculture.

The Committee has certainly become aware, in its travels through eastern and northern Ontario, that the matter of drainage of agricultural land is not only important but necessary to the future of agriculture in these areas of the province. Mention has been made of the intense interest of members of the public who attended our hearings and it has been noticed that in many cases the solution to drainage problems sometimes becomes an emotional issue, involved with neighbours and friends and inevitably, the assessment of costs.

While nobody disputes the benefits to be derived from an adequate program of land drainage, the escalating costs of the various fees, procedures and actual construction of drainage works is often a great deterrent to further expansion of these works and their obvious benefits. As mentioned, the Committee has commissioned research studies on these inter-related matters.

One of the major conflicts already apparent to the Committee exists where drainage works, either private or municipal, are confronted with the necessity of crossing under a provincial highway or a county or township road or any type of transportation affecting land drainage. The method of apportioning costs in this instance is not easily resolved. The dispute revolves around the question of benefit with some authorities claiming all the benefit accrues to the farm lands being drained. Other authorities hold to their belief that

roads, etc., are unnatural barriers to normal drainage flow and should therefore bear their share of the costs of carrying the drain to a sufficient outlet. This issue is contentious and the Committee is agreed that much further study and evidence is required before any definitive pronouncement can be made.

The Committee is, of course, concerned first of all with the legislation pertaining to drainage and, in its work, will attempt to reduce the difficulties and streamline the procedures in order that the benefits of drainage can be brought to more and more producers. But at the same time, some way must be found to keep costs under control and also to enhance the government programs which will enable the farmer to produce more effectively from his basic and most important resource, his land. The aim of the Committee will be to make recommendations in its final report which will deal with the terms of reference laid down in the resolution of the Legislature, in the hope that these recommendations will result in:

- (1) greater efficiency of agricultural production.
- (2) an effective means of resolving conflicts of interest, giving full weight to the concerns of the public interest as propounded by those concerned with protection of the environment.
- (3) workable legislation which will bring benefits to all concerned.

A.R.D.A. ASSISTANCE TO DRAINS

The Federal-Provincial program known as A.R.D.A. has been in existence now since 1961. This program has been concerned with alternate land use, soil and water conservation and general rural development. Under the provisions of soil and water conservation, the A.R.D.A. program in Ontario over the years has made a worthwhile and significant financial contribution to the extension of drainage facilities for agricultural production.

The third Rural Development Agreement now existing and terminating in 1975, set broad priorities for programs in Ontario and one of these was concerned with the development of natural resources. In Part II of the agreement, under the heading of land use and farm adjustment, provision is made in section 18, sub-section 8, for the development of agricultural land through drainage in

selected rural areas of Ontario for the purpose of improving the efficiency and productivity of viable farms. Part II then goes on to say that under these provisions shareable costs shall not exceed 66-2/3 per cent of the total cost. This, in effect, means that Ontario contributes one third of the total cost and the Federal government contributes one-third. Thus the figures quoted below are the one-third contribution to drainage costs in Ontario as provided for through A.R.D.A.:

1966-67	\$ 126,000
1967-68	746,000
1968-69	2,380,000
1969-70	3,394,000
1970-71	3,062,000
1971-72	2,412,000
TOTAL	\$12,120,000

Decision was taken by A.R.D.A. to assist drainage programs in Eastern Ontario in 1966 and shortly thereafter this assistance was extended to cover the whole of Southern Ontario. This decision to extend the assistance was revoked as of December 31, 1968, and at present assistance is available only to the eleven eastern counties of the province.

The Committee has learned from the Director of A.R.D.A. for Ontario, that it is planned that such a program of assistance to drainage works shall terminate as of March 31, 1973. Because of the great need and because the A.R.D.A. assistance is so essential in the eleven eastern counties, it has been made clear to us in our hearings throughout Eastern Ontario that the withdrawal of A.R.D.A. assistance would result in a significant deterioration of the construction programs of drainage works in this area.

As is well known, the rainfall in Eastern Ontario during the past summer has been exceptionally high. Many crops were not sown and many were not harvested because of extremely heavy rainfall. Interest in drainage is therefore high in Eastern Ontario and March, 1973 would appear to be an inappropriate time to remove the A.R.D.A. assistance to drainage from the eleven eastern counties in Ontario.

IT IS THEREFORE RECOMMENDED THAT: - A.R.D.A. assistance to drainage works in the eleven eastern counties of Ontario be continued until the end of the Federal-Provincial Rural

DEMONSTRATION PLOTS

Throughout its travels in Northern Ontario, the Committee became acutely aware of the lack of knowledge of the benefits of drainage to farmers and their lands. In some instances, this lack of knowledge could be attributed to lack of knowledge on the part of the representatives of the Ministry of Agriculture or it could be attributed to lack of knowledge on the part of the farmer himself who had not been made aware of the advantages of land drainage.

Then again, although he may have been aware of the advantages of drainage in the areas in which the farm was located, the crops were not such that the farmer could see the economic benefits to be derived from drainage and as a result, no great effort was exerted to obtain the information necessary regarding legislation or assistance available to tile his land. It appears to the Committee that an expanded program of education in the values of draining land should be undertaken and that this responsibility should rest with the Extension Branch of the Ministry of Agriculture and Food.

This expanded program should consist of schools for the councillors and municipal officials and a continued development of awareness of the assistance available to farmers who wish to have their lands tiled and drained.

The Committee was very impressed by the dramatic demonstration of the value of tile drainage on individual plots when they viewed the areas in Dundas County which were devastated by extensive rains in the spring and summer of 1972. Local M.P.P.'s and local agricultural representatives along with their engineers, conducted visits through the wet areas of their counties to show the Committee the effects on crops of tiled and untilled land. In one area where two fields of corn were contiguous the eye could see the full growth of the corn in one field and the complete crop loss in the other field.

In Northern Ontario, both east and west, the lack of understanding of local farmers about the benefits of drained land was painfully evident and many seemed dubious about the benefits, especially

when related to the possible costs. The Committee had expected to see demonstration plots and research on the subject being carried out by the Canada Department of Agriculture at its farms in Kapuskasing and Thunder Bay. This was not so, however, and it was brought to our attention that the responsibility for such demonstrations and extension work rests with the Provincial Ministry.

THE COMMITTEE THEREFORE RECOMMENDS THAT: - demonstration drainage plots be provided for the farmers of Northern Ontario to make them aware of the advantages of drainage by seeing the actual application of the technique in their area to crops suitable to the area. As well, cost records and crop yields must be kept on these plots so that in addition to visual appreciation of the values, farmers may be able to examine detailed records of actual costs and yields. It is suggested that at least three plots of perhaps 25 acres each be instituted and located, one in the Timmins area, one in the Kapuskasing area and one in the Thunder Bay area. The Committee is convinced that such plots would be of tremendous benefit to the farmers of Northern Ontario and leaves to the Ministry of Agriculture and Food the method of operation and administration of these plots.

AMENDMENTS TO LEGISLATION

The Tile Drainage Act, 1971

In this Act, Section 1 (b) restricts the operation of the Act to a municipality which is defined in the Act as a city, town, village, township or improvement district. This Act provides that the municipality may issue debentures which are sold to the Province of Ontario and with the money thus provided the municipality lends funds to the farmer, at a favourable rate of interest of 4 per cent up to a maximum of 75 per cent of the cost of installation of underdrainage by tile on the farmer's land.

These loans are repaid to the township in ten annual payments and are collected with the annual taxes. It is obvious that this procedure can only be carried out by a municipality which has the necessary organization and officials to provide the debentures and collect the borrowings on the tax roll.

The Committee was interested in learning from individual

farmers in unorganized areas that they were ineligible for tile drainage loans under this Act at the preferential interest rates. It seems really unfair that capable farmers living in such areas should be required to finance the installation of tiles at current rates of interest when other farmers in neighbouring organized municipalities are able to borrow at a very favourable rate.

THE COMMITTEE RECOMMENDS THAT: - The Ministry of Agriculture and Food make loans available to farmers in unorganized territories and districts at the same favourable rate and terms that farmers in other areas are able to borrow under The Tile Drainage Act for the purpose of installing tile drains in their fields.

The Drainage Act, 1970

The Drainage Act 1970, is an amalgamation of four other Acts which were put together into one Act. These Acts are as follows:

- 1) The Municipal Drainage Act, 1960
- 2) The Ditches and Watercourses Act, 1960
- 3) The Provincial Aid to Drainage Act, 1960
- 4) The Inter-Provincial Drainage Act, 1960

The Ditches and Watercourses Act, 1960, appears in The Drainage Act, 1970 as section 4.

The Committee has not heard many discussions in their hearings regarding section 4 and its effects or intention. It has been necessary in some instances, however, to recommend to individuals who appeared before the Committee with particular problems associated with the drainage of their land that they could perhaps apply for drainage relief under section 4 of the Act.

From conversations with practising engineers, and with the engineering staff of the Ministry of Agriculture and Food, it is evident to the Committee that this section of the Act is little used. In the last number of years only one or two of those questioned were able to recall instances where an individual farmer successfully was able to proceed under this section of the Act.

With regard to section 4 (1), a case was brought to our attention where persons in an urban municipality might possibly have taken advantage of section 4 but were prevented because sub-section 1

restricts application of this section to the drainage of "any agricultural land". There was some discussion within the Committee that the restriction to agricultural land should be removed but it was pointed out that affected land owners in urban areas might properly proceed under The Local Improvement Act or The Municipal Act in order to seek relief from flooding or other conditions caused by poor drainage.

Problems remain, however, where small drainage problems in urban areas exist which cannot be corrected under The Drainage Act and which at the same time do not warrant the institution of lengthy procedures under the Acts mentioned above.

Semi-urban areas present another problem where landowners do not know wherein lies their relief from drainage problems.

The Committee feels those charged with the administration of The Local Improvement Act and The Municipal Act should be made aware of these grey areas where citizens and taxpayers are unable to obtain relief without undue delay and sometimes at great expense.

Section 4 (2) requires the individual seeking relief to deposit the sum of \$100 to permit the engineer appointed to make an initial investigation. This figure has not changed since 1947 and the Committee feels that this amount should be increased.

One of the obvious reasons for the inability of farmers to use this section, is the limit of \$2500 contained in sub-section 3 of section 4. Our information is that this limit imposed in 1947 was quite sufficient. This amount has not been changed since and it is obvious to the Committee that the amount of \$2500 is much too restrictive especially when barriers such as highways and railways must be crossed and therefore should be changed to meet cost levels of the '70's.

Section 4 (4) restricts the assessment of costs of the work to lands lying within 150 rods from the sides of the drain and within 150 rods from the point of commencement of the drain. Difficulties arise with such limitations when one land owner becomes properly assessable and his neighbour does not, providing his neighbour lives beyond the 150 rods specified in the Act. Therefore it would appear in the interest of equity that the limits be deleted.

Sub-section 6 requires the council to appoint an engineer and to some degree the sub-section also defines the duties of the engineer.

It is clear that the engineer is required to report on the need for the drainage but it is not clear that he is required to report if there is no need. Since sub-section 8 also **requires** the council to proceed to adopt the report, then it is felt that sub-section 6 should require the engineer to report if, in his opinion, the work is not required or is impractical. Sub-section 8 is quite mandatory when it says that the council of the municipality **shall adopt** the report, proceed to implement it in accordance with the Act, unless the requisition of the original requisitioner is withdrawn. The Committee feels that this section is much too strong in its effect and that council should have an opportunity to ask for reconsideration by the engineer.

Section 62 (1) provides that grants may be made under this Act, for drainage works undertaken in accordance with sections 3, 49 or 53. No provision is made for grants to aid drains constructed under the provisions of section 4. We are informed that the fact of no grant being available for section 4 drains is causing farmers who are opposed to the drain to agree reluctantly to a petition under section 3 because drains under that section are eligible for grants. Thus, in many cases, requisition drains become petition drains. The wisdom of continuing such a situation is questioned.

THE COMMITTEE THEREFORE RECOMMENDS THAT:

- (1) Section 4 (2) of The Drainage Act be amended to change the sum of \$100 to read \$200.
- (2) Section 4 (3) of The Drainage Act be amended to change the sum of \$2500 to read \$7500.
- (3) Sub-section 4 of Section 4 of The Drainage Act be deleted in its entirety.
- (4) Section 4 (6) of The Drainage Act make provision for the engineer to report that, in his opinion, the drainage work proposed is not required or is impractical.
- (5) Section 4 (8) of The Drainage Act be amended to permit the municipality to ask for a reconsideration by the engineer, and that the engineer be required to file his new report within 60 days.
- (6) Section 62 (1) of The Drainage Act be amended by making eligible for grants, drainage works undertaken under section 4 of the Act.

MEETINGS AND HEARINGS OF THE COMMITTEE

	Date	Place
1972		
July	12	Sarnia-Chatham
	17	Toronto
	18	Toronto
	24	Toronto
	25	Toronto
	31	Toronto
Aug.	1	Toronto
	9	Saginaw, Michigan
	17	University of Guelph
	23-24	Kingston
	27	Smith's Falls
	28-29	Cornwall
Sept.	13	Toronto
	14	Toronto
	19-20	Peterborough
	26-27	Halifax, Nova Scotia
	28-29	St. John's, Newfoundland
Oct.	3	Fort Frances
	4	Dryden
	10	New Liskeard
	11	Timmins
	17	Sault Ste. Marie
	18	Thunder Bay
Nov.	1	Toronto
	2	Toronto
	7	Pembroke
	8-9	Quebec City
	15	Toronto
	20	Toronto

APPENDIX A
BRIEFS SUBMITTED AND HEARD

Mr. Russell J. Anderson, Winchester, (United Counties of Stormont, Dundas & Glengarry)

The Corporation of the Township of Nepean, (Regional Municipality of Ottawa-Carleton)

The Council of the Municipality of La Vallee, (District of Rainy River)

Mr. R. Dionne, Earlington, (District of Timiskaming)

Dundas Federation of Agriculture, (United Counties of Stormont, Dundas & Glengarry)

Dundas Soil and Crop Improvement Association, Winchester, (United Counties of Stormont, Dundas & Glengarry)

Mr. Chester Edwards, Clerk of Hilliard Township, (District of Timiskaming)

Glengarry Soil and Crop Improvement Association, (United Counties of Stormont, Dundas & Glengarry)

Mr. Francis Forget, Mountain, (United Counties of Stormont, Dundas & Glengarry)

Mr. Harry Giles, Pakenham, (Lanark County)

A. J. Graham Engineering Consultants Limited, Ottawa, (Regional Municipality of Ottawa-Carleton)

Mr. Charles Griffiths, Dryden, (District of Kenora)

Mr. Percy James, Englehart, (District of Timiskaming)

APPENDIX A (continued)

Mr. Lorne Harrison, Winchester, (United Counties of Stormont, Dundas & Glengarry)

Mr. Marvin Hawkins, Ottawa, (Regional Municipality of Ottawa-Carleton)

Mr. E. Laframboise, New Liskeard, (District of Timiskaming)

Mr. Viateur Lauzon, New Liskeard, (District of Timiskaming)

Lennox and Addington Soil and Crop Improvement Association, (United Counties of Lennox and Addington)

Mr. Hubert Mansfield, Trenton, (Hastings County)

Mr. William Marshall, New Liskeard, (District of Timiskaming)

National Farmers Union, (United Counties of Stormont, Dundas & Glengarry)

Mrs. Aubrey Nelson, Englehart, (District of Timiskaming)

Ontario Farm Drainage Association, Parkhill, (Middlesex County)

Township of Osgoode, (The Regional Municipality of Ottawa-Carleton)

Mr. H. Phelps Perth, (Lanark County)

Renfrew County Federation of Agriculture

Russell County Federation of Agriculture

Mr. Russell Scharfe, Ottawa, (Regional Municipality of Ottawa-Carleton)

Reeve R.A. Stewart, Township of Pakenham, (Lanark County)

APPENDIX B

ORAL PRESENTATIONS ALREADY HEARD

Mr. M. Aldous, Clerk, Ops Township (Victoria County)

Mr. W. K. Allen, New Liskeard (District of Timiskaming)

Mr. John Beecher, Westport (United Counties of Leeds and Grenville)

Mr. Don Belluz, Thunder Bay (District of Thunder Bay)

Mr. John Brabec, Maxville (United Counties of Stormont, Dundas and Glengarry)

Mr. John Brignall, Dryden (District of Kenora)

Mr. D. Carruthers, Cobourg (Northumberland County)

Mr. Horace Casey, Reeve, Thurlow Township (Hastings County)

Mrs. S. G. Chatfield, Red Lake (District of Kenora)

Chemong Lakeside Ratepayers Association, Omemee (Victoria County)

Mr. C. S. Coffey, Clerk, Pittsburgh Township (County of Frontenac)

Mr. John Coulson, Deputy-Reeve, Mariposa Township (Victoria County)

Mr. Roger Deslandes, Clerk-Treasurer, Armstrong Township (District of Timiskaming)

Mrs. Mary Drury, New Liskeard, (District of Timiskaming)

Reeve Al Faubert, Kenyon Township (United Counties of Stormont, Dundas and Glengarry)

Mr. Reginald Faulkner (Carleton County)

APPENDIX B (continued)

Mr. James Favron, New Liskeard (District of Timiskaming)

Deputy-Reeve Borden Forsythe, Thurlow Township (Hastings County)

Mr. R.C. Gagne, Charlottenburg (United Counties of Stormont, Dundas and Glengarry)

Mr. Jim Gormley; Macdonald Township (District of Algoma)

Mr. H. Grant, Clerk of Ewanturel (District of Timiskaming)

Mr. A. H. Greenwood, Reeve, Hudson (District of Timiskaming)

Mr. J. A. Grootenboer, Reeve, Oliver Township, (District of Thunder Bay)

Mr. Joseph Guthrie, Smith's Falls, (Lanark County)

Mr. Elwyn Hatchings, Westport, (United Counties of Leeds and Grenville)

Mr. James Hammond, Clerk-Treasurer, Atwood Township, (District of Rainy River)

Mr. George Hilliard, Ramsay Township, (Lanark County)

Mr. George Hnatiuk, Devlin, (District of Rainy River)

Mrs. Alice Jacobs, Devlin, (District of Rainy River)

Mr. Hilke Janssens, Thunder Bay, (District of Thunder Bay)

Mr. Hugh Johnston, Thornloe, (District of Timiskaming)

Mr. Howard Lackie, Smith's Falls, (Lanark County)

Mrs. Ethel Lalonde, Kingston, (Frontenac County)

Mr. Wilfred Latreille, South Plantagenet, (United Counties of Stormont, Dundas & Glengarry)

APPENDIX B (continued)

Christena Leslie, Blind River, (District of Algoma)

Mr. Doug Leach, Perth, (Lanark County)

Mr. Don Levi, Pakenham, (Lanark County)

Mr. Louis Loranger, Earleton, (District of Timiskaming)

Mr. M. Lovelock, (Carleton County)

Mr. MacSpadden, Murray Township, (United Counties of Northumberland and Durham)

Mr. William Maitland, (United Counties of Leeds and Grenville)

Mr. H. Mansfield, Trenton, (Hastings County)

Mr. E. E. Marcellus, Clerk, Osnabruck, (United Counties of Stormont, Dundas & Glengarry)

Reeve Richard Mason, Macdonald Township, (District of Algoma)

Reeve G. Massie, Lochiel Township, (United Counties of Stormont, Dundas & Glengarry)

Mr. Donald Matheson, Havelock, (Peterborough County)

Mr. George Matheson, Warden, (Renfrew County)

Mr. Ivan May, Foxboro, (Hastings County)

Mr. Alex McCurdy, Stirling, (Hastings County)

Reeve Ellwood McKinnon, Johnson Township, (District of Algoma)

Mr. Marvin McLean, Storrington Township, (Frontenac County)

Mr. Maurice McMillan, Reeve, Emo Township, (District of Rainy River)

APPENDIX B (continued)

Mr. Sam McNally, Murillo, (District of Thunder Bay)

Mr. Alex McNaughton, Cornwall, (United Counties of Stormont, Dundas & Glengarry)

Mr. S. Miller, Clerk-Treasurer, Harley Township, (District of Timiskaming)

Mr. Clifford Mills, Sault Ste. Marie , (District of Algoma)

Mr. Harold Mitchell, Councillor, Emily Township, (Victoria County)

Mr. Jack Morrison, Township of Nepean, (Regional Municipality of Ottawa-Carleton)

Mr. Ronald Moyle, Perth, (Lanark County)

Mr. Edmond Nadon, Cumberland, (United Counties of Prescott and Russell)

Mr. Orval, Sault Ste. Marie, (District of Algoma)

Mr. John Posthumus, Kingston, (Frontenac County)

Mr. G. Rickard, Deputy-Reeve, Darlington Township, (Durham County)

Mr. Nick Ruziski, Macdonald Township, (District of Algoma)

Mr. Gordon Sample, (Carleton County)

Mr. Mac Scott, Englehart, (District of Timiskaming)

Mrs. Margaret Sedine, Councillor, Paipoonge Township, (District of Thunder Bay)

APPENDIX B (continued)

Mr. I. Skene, Dryden, (District of Kenora)

Mr. John Templeman, Thunder Bay, (District of Thunder Bay)

Mrs. Lillian Tomlinson, Clerk, Laird Township, (District of Algoma)

Mr. Brian Van der Bye, Perterborough, (Peterborough County)

Mr. Herman Vogel, Dryden, (District of Kenora)

Mr. Tim Wall, Dryden, (District of Kenora)

Mr. Clarence Willard, Councillor, Kerns Township, District of Timiskaming)

Mr. C.A. Wilson, Clerk-Treasurer, Chapple, (District of Rainy River)

APPENDIX C

BRIEFS SUBMITTED OR TO BE SUBMITTED BUT NOT YET HEARD

Ainley & Associates Limited, Construction Engineering,
Collingwood, (Simcoe County)

Association of Professional Engineers of the Province of Ontario,
Toronto

J. D. Barnes Limited, Willowdale, (York County)

Mr. Herb Batho, Woodstock, (Oxford County)

Mr. Frank Blazetich, Welland, (The Regional Municipality of
Niagara)

Mr. G. P. Branch, Norval, (Halton County)

Brooke Township, County of Lambton

Canadian National Railways, London, (Middlesex County)

Civic Environment Committee, Oshawa, (Ontario County)

Ministry of Natural Resources, Queen's Park, Toronto

Conservation Council of Ontario, Toronto

Corporation of the Township of Chatham, (Kent County)

Corporation of the Township of Dover, Chatham, (Kent County)

Corporation of the Township of Minto, (Wellington County)

Corporation of the Township of Moore, (Lambton County)

Corporation of the Township of Niagara-on-the-Lake, (The Regional
Municipality of Niagara)

APPENDIX C (continued)

Corporation of the Township of Orford, (Kent County)

Corporation of the Township of Proton, (Grey County)

Corporation of the Borough of Scarborough, (Toronto)

Daymond Limited, Chatham, (Kent County)

Mrs. Margaret De Soto, Fruitland, (Wentworth County)

Mr. Bert Dortmans, Breslau, (Waterloo County)

Mr. John Downey, Minesing, (Simcoe County)

Mr. L. H. Engholm, Cobourg, (United Counties of Northumberland and Durham)

Essex County Soil & Crop Improvement Association, (Essex County)

Gordon Faubert, Sarnia, (Lambton County)

Federation of Ontario Naturalists, Don Mills, (Toronto)

Gamsby and Mannerow, Consulting Engineers, Guelph, (Wellington County)

Globe Glass Saturators Limited, Sarnia, (Lambton County)

Grand River Conservation Authority, Waterloo, (Waterloo County)

Haldimand Soil & Crop Improvement Association, Cayuga, (Haldimand County)

Mr. Russell Hardman, Hespeler, (Waterloo County)

Mr. Charles Haw, Saugeen Valley Conservation Authority, (Grey County)

APPENDIX C (continued)

Huron County Federation of Agriculture

Mr. J. M. Jones, Ingersoll, (Oxford County)

Mr. Lawrence Kerr, Kerr Farms Limited, Chatham, (Kent County)

Mr. Malcolm Kirk, Resources Manager, Ministry of Natural Resources, Owen Sound (Grey County), (on behalf of Conservation Authority)

Mr. and Mrs. Thomas Kliszcz, Kingsville, (Essex County)

LaFontaine, Cowie, Buratto & Associates, Windsor, (Essex County)

Mr. Don Lambert, Milton, (Halton County)

Lambton Federation of Agriculture, (Lambton County)

Miss Jeanette LeNeve, Sarnia, (Lambton County)

Mr. Nelson Lepord, Markdale, (Grey County)

Mr. Charles E. Lindsay, Embro, (Oxford County)

Lower Thames Valley Conservation Authority, Chatham, (Kent County)

Amos C. Martin Limited, Parkhill, (Middlesex County)

Mr. Mack A.P. McFarlane, Camlachie, (Lambton County)

McGeorge and Barry Limited, Consulting Engineers, Chatham, (Kent County)

McNevin, Gee & O'Connor, Barristers and Solicitors, Chatham, (Kent County)

Metropolitan Toronto and Regions Conservation Authority, Downsview, (Toronto)

APPENDIX C (continued)

Middlesex County Federation of Agriculture

Middlesex County Soil & Crop Improvement Association

Mr. A. E. Mills, Hannon, (Wentworth County)

Mr. L. Morhalo, Belle River, (Essex County)

Miss Isobel G. Munroe, Willowdale, (Toronto)

National Farmers Union, Local 329, Thedford, (Lambton County)

Niagara Peninsula Conservation Authority, Fonthill, (Regional Municipality of Niagara)

Nisbet, Letham Limited, Consulting Engineers, Sarnia, (Lambton County)

Mrs. John Novitsky, Watford, (Lambton County)

Mr. R. Odell, Priceville, (Grey County), for W. J. Hutchison and K. Odell

Ontario Agricultural College, University of Guelph, (Wellington County)

Ontario Clay Drain Tile Manufacturing Association, Parkhill, (Middlesex County)

Mr. K. Oser, Whitby, (Ontario County)

Mrs. W. Parkin-McBride, Haley's Station, (Renfrew County)

Perth County Federation of Agriculture, Mitchell

Mr. Oscar E. Pierson, Brantford, (Brant County)

Proton Township Federation of Agriculture, (Grey County)

Regional Development Branch, Ministry of Treasury, Economics and Intergovernmental Affairs, Toronto

APPENDIX C (continued)

Regional Municipality of Niagara, Public Works Department, St. Catharines

Mrs. Maxine Sol, Bowmanville, (Durham County)

Mr. J. H. Tate, London, (Middlesex County)

Mrs. Betsy Teeter, Camlachie, (Lambton County)

Mr. H. Toogood, (Regional Municipality of Ottawa-Carleton)

Township of Dunn, (Haldimand County)

Township of Moorefield, (Wellington County)

Townships of Salter, May & Harrow, Massey, (District of Sudbury)

Township of Windham, (Norfolk County)

Mr. E. H. Uderstadt, Orangeville, (Dufferin County)

Mr. J. W. Underwood, Kent Bridge, (Kent County)

Underwood McLellan & Associates Limited, Rexdale, (York County)

United Extrusions Limited, Orangeville, (Dufferin County)

University of Western Ontario, Department of Geography, London, (Middlesex County)

Mrs. Lucille Vallance, Whitby, (County of Ontario), will present brief on behalf of the following:

Mr. H. Wydeven, Whitby

Mrs. A. Hill, Whitby

Mr. Dawson, Whitby

Mrs. Hoare, Whitby

Mr. A. Vander Ende, Whitby

APPENDIX C (continued)

Mrs. J. Heerschop, Whitby
Mrs. J. Kartehaas, Whitby
Mrs. William vesters, Whitby
Mr. B. Wezely, Whitby
Mrs. R. Vanslageren, Whitby
Mrs. J. Schipper, Whitby
Mr. L. E. Czer, Whitby
Mrs. Catherine Holmes, Whitby
Mrs. P. Jacobs, Whitby
Mr. Klaas Vlieger, Whitby
Mr. R. Morrison, Whitby
Mrs. Betty Anne Jeffries, Whitby
Mr. J. Beve, Whitby
Mr. James E. Watson, Q.C., City Solicitor, City of Windsor, (Essex
County), (on behalf of the City of Windsor)
Leslie Wemp, Yarker, (Frontenac County)
Mr. George Wood, Woodbine Farms, Smith's Falls, (Lanark)
Mr. Cyril Yanchula, Forest, (Lambton County)

APPENDIX D

ORAL PRESENTATIONS TO BE HEARD

Mr. W. T. Abraham, Agricultural Representative, Ministry of Agriculture and Food, Petrolia, (Lambton County)

Mr. C.G.R. Armstrong, Land Surveyors-Drainage Engineers, Windsor, (Essex County)

Mr. R. Bosman, Laurel, (Dufferin County)

Dr. G.G. Blackburn, Stouffville, (York County)

Canadian National Railways, Great Lakes Region, Toronto

Comber Tile Yard Limited, Comber, (Essex County)

Mrs. Marie Curtis, Kimberley, (Grey County)

Mr. J. M. Dochstader, Wellandport, (Lincoln County)

Corporation of the Township of Dover, Chatham, (Kent County)

Mr. J. V. Falls, Meaford, (Grey County)

Mr. Roger Frost, Georgetown, (Halton County)

Mr. T. Gillingwater, Sutton, (York County)

Mr. Murray Hall, Essex, (Essex County)

Mr. Cedric Harrop, Guelph, (Wellington County)

Alderman Ivan Hunt, Niagara Falls, (Regional Municipality of Niagara)

Mr. and Mrs. Philip Kerrigan, Wyoming, (Lambton County)

APPENDIX D (continued)

Kingsmill, Jennings, Barristers and Solicitors, Toronto

Mr. Russell B. Kitchen, St. George, (Brant County)

Kraft Machinery Limited, Parkhill, (Middlesex County)

Mr. Gordon Kuhl, Desboro, (Grey County)

Mr. and Mrs. H. G. Kyle, Meaford, (Grey County)

Mr. Robert B. Lettz, Hillsburgh, (Wellington County)

Mr. Grant Livingston, Corporation of the Township of Chinguacousy,
Bramalea, (Peel County)

Lockhart and Wyrzykowski, Barristers and Solicitors, Sarnia,
(Lambton County)

Mr. Bernard Marchand, Penetanguishene, (Simcoe County)

OIKOS Associates, Waterloo, (Waterloo County)

Mr. B. Rammelane, Tillbury East Township, Tilbury, (Kent County)

Mr. Russell Rowntree, Rowntree Farms Limited, Woodbridge,
(York County)

Binno and Helen Schneider, Rodney, (Elgin County)

Seaforth Drainage Construction Limited, Seaforth, (Huron County)

Mr. Mackie A. Stewart, Forest, (Lambton County)

Mr. Raymond Stickwood, Claremont, (Ontario County)

Mr. Norman V. Stinson, Chief, Chippewas of Rama Road, Rama,
(Ontario County)

Mr. Ken Thompson for the Kent County Federation of Agriculture,
Blenheim

APPENDIX D (continued)

Township of Caldwell, (District of Nipissing)

Mr. Elwood Wines, Stayner, (Simcoe County)

Zorra Earthmovers, Woodstock, (Oxford County)

5-6455
STATEMENT BY LORNE C. HENDERSON, M.P.P. LAMBTON, CHAIRMAN OF THE SELECT COMMITTEE ON LAND DRAINAGE, ON FILING THE INTERIM REPORT, MONDAY, DECEMBER 4, 1972.

May I take this opportunity to say special thanks to my secretary, Mrs. Doris Dunne who has assumed additional responsibilities since I took over as Chairman.

I also want to thank members of the staff for the assistance and help in past months; Miss Jane Maher, Miss Glenda du Sart and Miss Maureen Dunne; also Mr. Dave Califas, ³⁶¹⁰₅₋₄₄₆₆ clerk of the committee, Mr. Edward O'Meara, Department of Agriculture and Food, research officer to the committee, Mr. Jim Monteith, consultant engineer, Mr. George Calver, drainage co-ordinator, Department of Agriculture and Food.

I want to congratulate the committee members on their attendance at the meetings and the interest they have shown on this subject which is so important to the farmers of Ontario.

On behalf of the committee, may I congratulate and thank the Honourable William Davis, Premier of Ontario and the Honourable William Stewart, Minister of Agriculture and Food for having the foresight in recognizing the need of this study which will prove beneficial to all the people of Ontario.

During the course of the Public hearings and interviews with various officials responsible for administering drainage in the province, certain problems were repeatedly brought before the Committee. In this respect there were five particular areas of concern, namely:

1. Future status of ARDA assistance to drains
2. Demonstration tile plots
3. Tile Drainage loans in unorganized territories
4. Problems relating to the use of Section 4 of the present Act.
5. Problems relating to highway and railway drainage crossings.



Township of C
Mr. Elwood V
Zorra Earthn

The first four items have been dealt with in this report and recommendations have been made herein.

Evidence was presented at all of the Public hearings to the effect that the Ministry of Transportation and Communications, along with Municipal Road Authorities and Railway Companies have, by virtue of the artificial barriers to the natural drainage patterns formed by the grades, effectively denied many farmers the opportunity of properly draining their lands. The attitudes of these Authorities, in general, has not been co-operative with respect to private drainage schemes and to a lesser degree, municipal drainage schemes. The County of Elgin appears to be the only authority with what I consider to be an acceptable policy. This County recognizes its obligations in connection with private drainage and in all cases bears other additional costs caused by the presence of the artificial barrier.

The suggested amendments to Section 4 are intended to remedy some of the problems encountered with these crossings. The Committee at this time consider the problems complex and intends to give the matter further study. Meetings are planned for Central and Southwestern Ontario in the coming months and subsequently the Committee intends to make major recommendations on these and other subjects.

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RETURN BEFORE 11:00 A.M.

ON DAY FOLLOWING LAST DATE STAMPED BELOW

~~DEC 27 1942~~

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